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July 1912

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Toronto, 25th July, 1913.

The Bursar,

University of Toronto,

Toronto/

Dear Sir:

Replying to your communication of July 11th.

Permit me to express my sincere thanks to the Governors of the University for their kindness in offering me an appointment as Assistant in the Department of Clinical Surgery. I would appreciate the honour of being connected with the University teaching staff, and would be glad under more harmonious conditions to have the opportunity to conscientiously do my best to give satisfaction in Clinical instruction.

Unfortunately, however, the recent Agreement made between the Western Hospital and the University has aroused very strong opposition from medical staff of the Hospital. At first the opposition was not general, but on the charge that the Board of the Hospital had in the Agreement infringed rights of the staff over which they had no control the opinion of Mr. I. F. Hellmuth, K. C., was obtained.

Mr. Hellmuth, after considering a copy of the Agreement, the Act of Incorporation of the Hospital, and the Hospital Act of 1912, concluded a careful opinion by stating that the Agreement is not warranted by the Hospital Act of 1912, and is in direct conflict with both the spirit and letter of the Act of Incorporation of the Hospital.

A minority of the Hospital Board and the great majority of the staff are now opposed to the present Agreement, and



have determined to take the matter into Court unless the Board of the Hospital or the Governors of the University decide to terminate an Agreement which has aroused so much opposition, though there is no doubt Court proceedings would bring about much objectionable publicity.

At the last meeting of the staff the following resolution was passed by a vote of 23 to 3 (three other members in favour having been called away before the vote was taken, and of the three opposing the resolution two having received appointments from the University as Associate Professors):-

"That the Medical Staff of the Toronto Western  
"Hospital being resolved not to surrender any rights given to  
"the Staff by the Hospital's Act of Incorporation, and feeling  
"that the Board of Governors does not wish to relinquish privileges given to the Hospital by the same Act, and believing  
"that the Agreement recently made with the University by the  
"Board of Governors conflicts both in spirit and letter with  
"the Hospital Act of Incorporation, and is not warranted or  
"demanded by the Hospital Act of 1912, hereby requests the Board  
"of Governors to take immediate action to terminate this Agreement,  
"and thus relieve a situation which has caused regrettable friction seriously detrimental to the best interests of the Hospital,  
"and that a copy of the resolution be forwarded to the Chairman  
"of the Board with a copy of the legal opinion of Mr. I. F.  
"Hellmuth."

As a member of the Board and Staff of the Hospital I have expressed my conviction that the wishes of the great majority of the staff should be followed, and (believing that the Hospital

Board in making the present Agreement exceeded its powers and assigned rights over which it had no control) that the present Agreement should be terminated and, if desired, a new Agreement entered into which will not conflict in any way with the Hospital's Act of Incorporation.

Under these circumstances, while I have always favoured University affiliation and would value University connection, I feel I cannot consistently accept an appointment granted me under an Agreement which, with the majority of the staff, I believe to be illegal.

Will you kindly bring this explanation before the Governors of the University? I am sure they will understand that I desire to act honourably towards the University and also towards the staff of the Hospital with whom for some years I have been closely associated.

Sincerely yours,

(Signed) H. A. Beatty.



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COPY

Toronto, 25th July, 1913.

*Don't Mr. Hellmuth.  
Please keep this private.  
R.H.F.*

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